

"They will reverence and glorify the name of God from west to east."



This is a new day for America. Our President has on numerous occasions asked the American people to PRAY. Thanks to Jay Sekulow and C.A.S.E., our children in public schools now have a right to have a Bible club on campus and pray if they like. It is reported that drug usage among young people has dropped in many parts of the country. America's standing in the world and at home has dramatically changed as our national leaders have called us to PRAY — and the VICTORIES have been won! "...One Nation, UNDER GOD, Indivisible, with Liberty and Justice For All" is suddenly ALIVE Again in the hearts of Millions of Americans. The proclamation of LIBERTY and HOPE is spreading around the World. "...Where the Spirit of the Lord is, there is LIBERTY." II Cor. 3:17 Join the TBN Family in Sending the Proclamation of TRUE Liberty around the World!

"For He will come like a flood-tide driven by Jehovah's breath."

We have received countless Praise testimony letters from you dear partners watching TBN, who were HEALED as they listened to Benny Hinn preach, or as he gave a Word of Knowledge or prayed for the sick. For too long the Holy Spirit has been relegated to the back rooms — but with Benny Hinn, the Holy Spirit is always the Star of the program. It's no wonder that the Holy Ghost's Presence and Power to heal is so evident in his meetings. The TBN family has been blessed by the Mighty Warriors Conference from Orlando Christian Center, Benny's guest appearances on PRAISE and at TBN Revivals as well as his own programs on TBN which air Mon. through Fri. at 11:30 AM and Saturdays at 4:00 PM (Pacific Daylight Time). The Precious Holy Spirit, is always Welcome on TBN — Day or Night — 7 Days a Week — 24 Hours A Day — It's HIS Network!



"He will come as a Redeemer to those who have turned away from sin."



It's EASY to have the JOY of the Lord like the LaVerne Tripp Family when you understand that God's condition for FORGIVENESS is FAITH in Jesus Christ. That simple Faith is our key to VICTORY. How we LOVE LaVerne & Edith Tripp, Robbie & Tammi, and Terry & Tara — They're such a beautiful example of God's love and joy! The ministry of the Tripp Family & their music has brought thousands into the Kingdom of God through TBN. They've taught us how we can rise above defeat and be VICTORIOUS! Don't miss THE LAVERNE TRIPP FAMILY each week, Mondays at 5:30 PM, Wednesdays at 4:00 AM & Thursdays at 8:30 AM (Pacific Daylight Time). Your support KEEPS these beautiful Music Ministry programs on the air!

"This is My promise to them," ... "My Holy Spirit shall not leave them"

"My Holy Spirit shall not leave them, and THEY SHALL WANT THE GOOD AND HATE THE WRONG — THEY AND THEIR CHILDREN AND THEIR CHILDREN'S CHILDREN." Is. 59:21 LB Who better typifies the promise of this Scripture than DALE EVANS ROGERS! Dale is one of our most popular TBN programmers and always a FAVORITE guest on PRAISE & PRAISE THE LORD REVIVALS! Dale & Roy have represented the GOOD GUYS to millions of Americans — and they are still OUR HEROES! Dale's secret is her tender relationship with the Lord. Don't miss her program, A DATE WITH DALE, seen each week, Thursdays at 5:30 PM & Tuesdays at 5 AM (Pacific Daylight Time). Each week Dale has wonderful guests who will inspire you! Invite your unsaved loved ones and friends to watch A DATE WITH DALE — Her program is a great way to witness!



DELIVERED into the glorious LIBERTY of the CHILDREN OF GOD



There is no greater JOY on earth than to see the beautiful faces of those who have been DELIVERED from satan's bonds of sin, sickness & deception and adopted into the great big family of GOD! That is why the Holy Beamers are rolling more & more these days — so you can bring your loved ones & friends to a TBN Revival — and so MILLIONS watching & listening can be touched by the awesome Presence & Power of God that sets the captives FREE — DELIVERED...into the glorious LIBERTY of the children of God." Rom 8:21 These REVIVALS are Blessing the Whole Wide World by KTBN Superpower Shortwave Radio, & on TV, too, in many nations. YOUR faithful support of Your TBN is Spreading REVIVAL to your City, to this Nation and to the ends of the earth! If you missed the PRAISE-A-THON last month — it is not too late! We have enclosed a Pledge Card with this PRAISE THE LORD Newsletter. You will still receive the Spring Praise-A-Thon Love Gifts as described in the April newsletter. Please Write TODAY!

OUR LOVE GIFT TO YOU FOR MAY

"ANSWERS TO TOUGH QUESTIONS" By Josh McDowell & Don Stewart

Have you ever encountered a "TOUGH QUESTION" about the BIBLE? Who among us has not struggled with certain passages, wondering if we really had the true meaning?

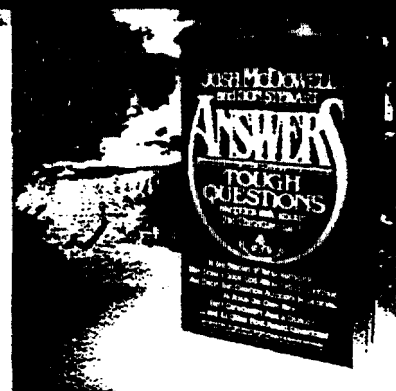
Enter JOSH McDOWELL'S — "ANSWERS TO TOUGH QUESTIONS" from the Bible. Dozens of obscure passages are explored and answered in ways that will bless and delight you, like — "Why does a good God allow evil to exist?"

Yes even the Word tells us to:

"BE READY ALWAYS TO GIVE AN ANSWER TO EVERY MAN...A REASON OF THE HOPE THAT IS IN YOU..." I Peter 3:15

Your love gift large or small will bring this great Bible teaching book to you. Carry it with your Bible and — "BE READY!"

Paul



STUDIOS LOCATED AT:

WRITE TODAY TO:
TBN P.O. BOX A, SANTA ANA, CA 92711

CALIFORNIA-SANTA ANA/
LOS ANGELES KTBN CH. 40
2442 Michelle Drive,
Tustin, CA 92680
Prayer Line 714/731-1000

ARIZONA-PHOENIX
KPAZ CH. 21
3551 McDowell Rd., at 36th St.
Phoenix, AZ 85008
Prayer Line 602/244-8311

OKLAHOMA-OKLAHOMA CITY
KTBO CH. 14
3705 N.W. 63rd at Portland
Oklahoma City, OK 73116
Prayer Line 405/848-1400

FLORIDA-MIAMI
WHFT CH. 45
3324 Pembroke Rd.
Pembroke Park, FL 33021
Prayer Line 305/966-4710

INDIANA - KENTUCKY / OHIO
WKOI CH. 43
1702 S. 9th St.
Richmond, IN 47374
Prayer Line 317/935-5200

NEW YORK - POUGHKEEPSIE
WTBY CH. 54
Rt. 9 at Merritt Rd.
Fishkill, NY 12524
Prayer Line 914/896-4650

WASHINGTON-SEATTLE / TACOMA
KTBW CH. 20
1909 S. 341st Place
Federal Way, WA 98003
Prayer Line 206/874-7550 & 952-7550

COLORADO - DENVER
K57BT CH. 57
9020 Yates
Westminster, CO 80030
Prayer Line 303/650-0800

OHIO - CANTON / AKRON / CLEVELAND
WOLI CH. 17
6600 Atlantic Blvd. N.E.
Louisville, OH 44641
Prayer Line 216/875-7111

NORTH CAROLINA - GREENSBORO
WLXI CH. 61
2101 Patterson St.
Greensboro, NC 27407
Prayer Line 919/292-6100

TEXAS - DALLAS / FT. WORTH
KDTX CH. 58
2823 W. Irving Blvd.
Irving, TX 75061
Prayer Line 214/986-1001

INDIANA - BLOOMINGTON /
INDIANAPOLIS WCLJ CH. 42
2528 U.S. 31 South
Greenwood, IN 46143
Prayer Line 317/535-5800

GEORGIA - MONROE / ATLANTA
WHSG CH. 63
1550 Agape Way
Decatur, GA 30035
Prayer Line 714/731-1000

OREGON - PORTLAND
KNMT CH. 22 (National Minority TV)
432 N.E. 74th St.
Portland, OR 97213
Prayer Line 714/731-1000

TEXAS - HARLINGEN
KLUJ CH. 43 (Community Educational TV)
1920 Al Cone-way Dr. #117
Harlingen, TX 78550
Prayer Line 512/425-4400

TEXAS - BEAUMONT
KITU CH. 34 (Community Educational TV)
Rt. 3 Box 935
Orange, TX 77630
Prayer Line 714/731-1000

TEXAS - HOUSTON
KETH CH. 14 (Community Educational TV)
10902 S. Wilcrest
Houston, TX 77099
Prayer Line 713/561-5384

NEVIS, WEST INDIES CH. 13
Bath Plain, Charlestown
Nevis, West Indies
Prayer Line 809/469-5425

ST. LUCIA CH. 13
Castries, St. Lucia
Prayer Line 714/731-1000

ITALY, MILAN CH. 11
TBNE, Casella Postale 19
20090 Trezzano S. Naviglio
P. Milano d'Italia
Prayer Line 06/598-5447

CISKEI, Southern AFRICA, CH. 24
Independence Blve.
Bisho, Ciskei, S. Africa
Prayer Line 0401/91179

TRANSKEI, Southern AFRICA CH. 24
Corporation Park, Myezo
Umtata, Transkei, S. Africa
Prayer Line 0471/310581

COSTA RICA, CH 23
Assoc. De Comunicacion Cristiene
P.O. Box 1491-1000
San José, Costa Rica
Prayer Line 714/731-1000

EL SALVADOR CH. 25
Paseje Rosendal #8
Reperto El Rosal
San Salvador, El Salvador
Prayer Line 714/731-1000

TBN is also carried on over 1,000 Cab
Systems reaching 14 million households!

KTBN SHORTWAVE SCHEDULE

The schedule for KTBN's SUPERPOWER SHORTWAVE
RADIO transmission from April 7, 1991 to Sept. 29,
1991 is as follows:

TIME	FREQUENCY
8 AM - 6 PM (Pacific Daylight Time)	15.590 MHz
6 PM - 8 AM (Pacific Daylight Time)	7.510 MHz

TBN SPRING 1991 TV SCHEDULE

PACIFIC TIME	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	EASTERN TIME
12:00 AM	PRAISE THE LORD	PRAISE THE LORD					REAL VIDEOS	3:00 AM
12:30 AM							JOHN JACOBS	3:30 AM
1:00 AM							DALLAS HOLM	
1:30 AM							CANDI STATION-SUSSEWELL	
2:00 AM							INSIDE SPORT	5:00 AM
2:30 AM							NANCY HARMON	SONNY & JULIE ARGUMZONI
		KENNETH HAGIN	HAL LINDSEY	6:00 AM				
3:00 AM	PASTOR KARL STRADER	TBN TODAY: BEHIND THE SCENES, JOHN AVANZINI, EFREM ZIMBALIST, JR.					DR. REGINALD CHERRY	6:30 AM
3:30 AM		BENNY HINN					BETTY JEAN ROBINSON	7:00 AM
4:00 AM	PASTOR ROD PARSLEY	JOSEPH GOOD	DIANE BISH	LAVERNE & EDITH TRIPP	HERITAGE SINGERS	MEADOWLARK LEMON	100 HUNTLEY STREET	7:30 AM
4:30 AM		MEADOWLARK LEMON	DR. E.V. HILL	DR. STELWART McBRINE	DR. ROY BLIZZARD	GREG LAURIE		8:00 AM
5:00 AM	PASTOR JOHN HAGEE	THE DINO SHOW	DALE EVANS	DEAN & MARY BROWN	BETTY JEAN ROBINSON		K.P.T.L.	8:30 AM
5:30 AM		JAMES ROBISON					DAVY & GOLIATH	9:00 AM
6:00 AM	EARL PAULK	RICHARD ROBERTS					GOSPEL BILL SHOW	9:30 AM
6:30 AM		JOY					JOY JUNCTION	10:00 AM
7:00 AM	JAMES ROBISON	LARRY LEA					CIRCLE SQUARE	10:30 AM
7:30 AM	PASTOR ED YOUNG	MARILYN HICKEY					THE FILLING STATION	11:00 AM
8:00 AM	DR. JAMES KENNEDY	KENNETH COPELAND					QUIGGLEYS VILLAGE	11:30 AM
8:30 AM		THE ANSWER with DR. DAN SHEAFFER	DR. WHITAKER	RICK GODWIN	LAVERNE & EDITH TRIPP	CHRISTIANITY ON TRIAL	FLYING HOUSE	12:00 PM
9:00 AM	ADRIAN ROGERS	CANDI STATION-SUSSEWELL	MEADOWLARK LEMON	DR. REGINALD CHERRY	DR. T.L. OSBORN	FEEDBACK with HAROLD CALVIN RAY	SUPER BOOK	12:30 PM
9:30 AM		NANCY HARMON	GAVIN & PATTI MACLEOD	JAY SEKULOW	RON COTTLE	JEFF & REEMI FENHOLT	REAL VIDEOS	1:00 PM
10:00 AM	DAY OF DISCOVERY	TBN TODAY: BEHIND THE SCENES • JOHN AVANZINI • EFREM ZIMBALIST, JR.					JOHN JACOBS	1:30 PM
10:30 AM	GEORGE VANDEMAN	JIMMY SWAGGART					JOSH McDOWELL	2:00 PM
11:00 AM	PASTOR ROD PARSLEY	JAMES ROBISON					DESTINED FOR THE THRONE	2:30 PM
11:30 AM		BENNY HINN					DEAF WORLD	3:00 PM
12:00 PM	FR. RICARDO CASTELLANOS	700 CLUB					RAY BRUBAKER	
12:30 PM	JOHN HINKLE						DR. STELWART McBRINE	4:00 PM
1:00 PM	PASTOR JOHN HAGEE	ANOTHER LIFE					DR. BILL BRIGHT	4:30 PM
1:30 PM		MARILYN HICKEY					DOUG WEAD	5:00 PM
2:00 PM	ORAL ROBERTS	PRAISE THE LORD	TBN MOVIE OF THE WEEK	PRAISE THE LORD			MIKE BARBER	5:30 PM
2:30 PM	JIMMY SWAGGART						DR. T.L. OSBORN	6:00 PM
3:00 PM	LOWELL LUNDSTROM						DIANE BISH	6:30 PM
3:30 PM	DR. LLOYD OGILVIE						BENNY HINN	7:00 PM
4:00 PM								7:30 PM
4:30 PM	JACK HAYFORD						GAVIN & PATTI MACLEOD	8:00 PM
5:00 PM		TBN TODAY: BEHIND THE SCENES, JOHN AVANZINI, EFREM ZIMBALIST, JR.					ZOLA LEVITT	8:30 PM
5:30 PM	PASTOR E.V. HILL	LAVERNE & EDITH TRIPP	BETTY JEAN ROBINSON	JOSEPH GOOD	DALE EVANS	THE DINO SHOW	DR. ROBERT SCHULLER	9:00 PM
6:00 PM	KENNETH COPELAND	GRANT JEFFREY	RICK GODWIN	KENNETH HAGIN	DWIGHT THOMPSON	DR. FRED PRICE		9:30 PM
6:30 PM		JAY SEKULOW	THE ANSWER with DR. DAN SHEAFFER	DR. JACK VAN IMPE			DR. R.W. SCHAMBACH	10:00 PM
7:00 PM	PRAISE THE LORD	TBN MOVIE OF THE WEEK	"LIVE" PRAISE THE LORD				LARRY LEA	10:30 PM
7:30 PM							LARRY KERYCHUK	11:00 PM
8:00 PM							JOHN JACOBS	11:30 PM
8:30 PM							DAVE ROEVER	12:00 AM
9:00 PM							REAL VIDEOS	1:00 AM
9:30 PM							JEFF & REEMI FENHOLT	1:30 AM
10:00 PM	DWIGHT THOMPSON	DR. JACK VAN IMPE	TBN TODAY	DR. BILL BRIGHT	TBN TODAY	MIKE BARBER	SONNY & JULIE ARGUMZONI	2:00 AM
10:30 PM		RICK GODWIN	PASTOR E.V. HILL	GAVIN & PATTI MACLEOD	JAY SEKULOW	MARIO MURILLO	MEADOWLARK LEMON	2:30 AM
11:00 PM	CARLTON PEARSON	CANDI STATION-SUSSEWELL	DEAN & MARY BROWN	DR. DONALD WHITAKER	JEFF & REEMI FENHOLT	JOSH McDOWELL		
11:30 PM		DR. REGINALD CHERRY	MIKE BARBER	CHRISTIANITY ON TRIAL	HAL LINDSEY	MAKER'S MATCH		

PACIFIC TIME

EA

All programs are subject to change without notice. In your area there may be some local television programs in these time slots. All programs are subject to change without notice.

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350

Inter-Office Memo

TO: PAUL CROUCH
FROM: GEORGE D. SEBASTIAN *GS*
DATE: May 10, 1991
RE: W18AY Serving Portland, Maine
Population: 266,328

When Finished, Route to:

<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

Affiliate, NMTV

Channel 18, serving Portland, Maine metroplex, signed on the air today at 1:00 P.M. Pacific Daylight time. This is a 1000 watt transmitter with an ERP of 20,400 watts with a directional antenna. City grade coverage is 13.1 miles with an expected "B" contour to 26.2 miles.

GDS:dw

cc: Jane Duff
Sheri Duff
Ben Miller
Stan Hollon
Rod Henke
Deanna Sebastian
Al Brown
Bob Higley
Jim Planck
Pat St John Clerke
Virginia Gonzales
Alice Fields
Holly Johnson
Mary Powell
Cynthia Shields
LaVera Johnson
Dixie West
Robbie Mickley
Shirley Revell

56153

Federal Communications Commission

Docket No. 93-75 Exhibit No. 350

Presented by MWB **DEC 03 1993**

Disposition { Received DEC 03 1993
Rejected _____

Reporter Amel
Date **DEC 03 1993**

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351

Inter-Office Memo

TO: All Station Managers

OM: Jane Duff *JD*

DATE: May 13, 1991

RE: The Annual EEO Report for 1991

When Finished, Route to:

<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

Attached is the FCC 395-B form in its final form which has been compared with personnel records for accuracy. We are doing our best to file a letter perfect application. If you do not agree with any part of the report, please notify us immediately.

The reports will be forwarded to Colby from my office no later than Wednesday, May 15th. If we do not hear from you on the 14th, we will assume the report is accurate.

If the report is accurate, keep this copy in your public file until you receive a copy from Colby with a cover letter indicating that it was filed at the FCC.

JD:sd

55056

Federal Communications Commission	
Docket No. 93-75	Exhibit No. 331
Presented by	M W H
Disposition	DEC 03 1993
Reporter	DEC 03 1993
Date	DEC 03 1993

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352

JOSEPH E. DUNNE III
COLBY M. MAY

*ALSO ADMITTED IN VIRGINIA

MAY & DUNNE
CHARTERED
ATTORNEYS AT LAW
1000 THOMAS JEFFERSON STREET, N.W.
SUITE 520
WASHINGTON, D.C. 20007
(202) 298-6345

RICHARD G. GAY
OF COUNSEL

TELECOPIER NO.
(202) 298-6375

May 13, 1991

CONFIDENTIAL

Mrs. Jane Duff
Trinity Broadcasting Network and
National Minority TV, Inc.
P. O. Box C-11949
Santa Ana, California 92711

RE: LPTV Applicataions Filed During May 3, 1991 Window

Dear Jane:

I am providing to you a list of the applications filed during the window and the allocation of funds from the \$19,125 deposited into our escrow account.

From the TBN escrow funds filing fees were paid for 39 TBN applications (total \$16,575.00) and six NMTV applications (\$2550.00). Those applications are as follows:

TBN Applications

<u>Call Sign</u>	<u>Community of License</u>	<u>New/Major Change</u>
W32AT	Knoxville, Tennessee	Major Change
K52DI	Sioux Falls, South Dakota	Major Change
W58BO	Natchez, Michigan	Major Change
W31AS	Morristown, Tennessee	Major Change
K53AT	Buellton, California	Major Change
K57FD	Atwater, California	Major Change
W65CE	Shreveport, Louisiana	Major Change
K42BS	Fayetteville, Arkansas	Major Change
K21AP	Topeka, Kansas	Major Change
W69BS	Statesville, North carolina	Major Change
W32AR	Lexington, Ohio	Major Change
K27DI	Fort Smith, Arkansas	Major Change
W47BC	Springfield, Ohio	Major Change
K26DD	Kalispell, Montana	Major Change
W66BD	Fort Wayne, Indiana	Major Change
K56AU	Columbia, Missouri	Major Change
K35CN	Green River, Wyoming	Major Change
K53DT	Monterey, California	Major Change
W38BB	Raleigh, North Carolina	Major Change
W52BC	Montgomery, Alabama	Major Change
W02BG	Biloxi, Missouri	Major Change

00266

Federal Bureau of Investigation	
Case No.	93-75-Sub A-352
Presented by	MMH
Disposition	DEC 03 1993
Reported by	DEC 03 1993
Date	DEC 03 1993

May 13, 1991
Page 2

<u>Call Sign</u>	<u>Community of License</u>	<u>New/Major Change</u>
K58CM	Duluth, Minnesota	Major Change
K47BE	Boise, Idaho	Major Change
W25AD	Columbus, Mississippi	Major Change
K20DA	Aberdeen, South Dakota	Major Change
W24OI	Norfolk, Virginia	Major Change
K22DD	Grand Forks, North Dakota	Major Change
K69FB	Sacramento, California	Major Change
K42DA	Paris, Texas	Major Change
W66BJ	Myrtle Beach, South Carolina	Major Change
W67BJ	Savannah, Georgia	Major Change
W32BA	Lynchburg, Virginia	Major Change
K15CW	Brookings, South Dakota	Major Change
K63EE	Montrose, South Dakota	Major Change
K33AG	Bend, Oregon	Major Change
K58BG	Klamath Falls, Oregon	Major Change
W65BW	Lake City, Florida	Major Change
K45AV	Reno, Nevada	Major Change
K62AN	Lancaster, Pennsylvania	Major Change

NMTV Applications

<u>Call Sign</u>	<u>Community of License</u>	<u>New/Major Change</u>
Channel 20	Amarillo, Texas	New
Channel 45	Charleston, West Virginia	New
W57BK	Toledo, Ohio	Major Change
Channel 22	Pescott, Arizona	New
Channel 26	Wichita Falls, Texas	New
Channel 41	Corpus Christi, Texas	New

In addition to the applications listed above we filed one additional NMTV application (W52BD, Huntington, West Virginia); one Trinity of Denver application (K57BT, Denver, Colorado); as a courtesy one Lupian-Warren-Barnard (K49BV, Vista, California) application; and, four TBN applications which the escrowed funds did not cover. My office covered these filing fees and statements have been sent. The TBN applications are as follows:

00267

May 13, 1991
Page 3

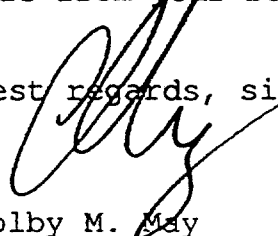
TBN Applications

<u>Call Sign</u>	<u>Community of License</u>	<u>New/Major Change</u>
K38CQ	Arlington, South Dakota	Major Change
K66BM	Palm Springs, California	Major Change
K27DB	Madison, South Dakota	Major Change
K19CU	Reno, Nevada	Major Change

For Trinity we filed a total of 43 applications; for NMTV seven; for TBD one; and the Lupian-Warren-Barnard filing (grand total 52).

Jane, if this information differs from your records in any way, please give me a call.

Best regards, sincerely,


Colby M. May

CMM:gmcB78/B47

00268

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JOSEPH E. DUNNE III
COLBY M. MAY*

MAY & DUNNE
CHARTERED
ATTORNEYS AT LAW
1000 THOMAS JEFFERSON STREET, N.W.
SUITE 520
WASHINGTON, D.C. 20007
(202) 298-6345

RICHARD G. GAY
OF COUNSEL
TELECOPIER NO.
(202) 298-6375

May 23, 1991

HAND DELIVER

RECEIVED

MAY 23 1991

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

RE: Assignment of WTGI-TV, Channel 61, Delaware, from Delaware Valley Broadcasters, Limited Partnership, Debtor-In-Possession to National Minority TV, Inc. (BALCT-910329AE)

Dear Ms. Searcy:

Transmitted herewith on behalf of National Minority TV, Inc., by its undersigned counsel, is an original and four (4) copies of its Opposition to the Petition To Deny, and For Other Relief filed by Dan Borowicz in the above-captioned assignment proceeding.

Should any questions arise concerning this matter, kindly contact the undersigned directly.

Respectfully submitted,

NATIONAL MINORITY TV, INC.

By:

Colby M. May

By:

Joseph E. Dunne III

Its Attorneys

CMM/JED:gmcB47

xc: All Per Attached Certificate of Service

Federal Communications Commission

Docket No. 93-75 Exhibit No. 353

Presented by AT&T NW 8

DEC 03 1993

Disposition

Received DEC 03 1993

Rejected

Reporter

A. Webb

Date

DEC 03 1993

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In Re: Application of:

DELAWARE VALLEY BROADCASTERS,
LIMITED PARTNERSHIP, DEBTOR-IN
POSSESSION

(Assignor)

and

NATIONAL MINORITY TV, INC.

(Assignee)

For Assignment of WTGI-TV,
Channel 61, Wilmington, Delaware

To: Chief, Mass Media Bureau

File Number: BALCT-910329AE

CONSOLIDATED OPPOSITION TO PETITION TO DENY
AND INFORMAL OBJECTIONS

By: Colby M. May, Esq.
Joseph E. Dunne III, Esq.
May & Dunne, Chartered
Suite 520
1000 Thomas Jefferson St. NW
Washington, D.C. 20007
(202) 298-6345

May 22, 1991

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4. NMTV was not, however, the initial successful bidder for WTGI-TV at the January 29, 1991 hearing. A bid of \$4.25 million was submitted by Believers.⁵ Ultimately, however, Believers was unable to meet its obligations, and pursuant to Bankruptcy Judge Balick's February 8, 1991 Order, NMTV's back-up bid was thus triggered and accepted. Thereafter, on March 14, 1991 NMTV tendered its ten percent down payment of \$400,000 for WTGI-TV with Delaware Valley's counsel. On March 29, 1991 NMTV and Delaware Valley submitted their assignment application (FCC Form 314) to the Commission. The assignment was accepted on April 10, 1991 and published in the Commission's Broadcast Applications Report No. 14970 at page 9.

5. For four years Delaware Valley had operated WTGI-TV with the hope of working its way out of its financial difficulties. It was unable to make any submission with the bankruptcy court to show that it was able to meet its operating costs and pay-down its debt.

B. NMTV's Organization, Minority Status, and Involvement With the Trinity Broadcasting Network Have Been Fully Disclosed in the Public Record and Twice Approved by the Commission

6. NMTV is an organization well-known to the Commission. It has acquired, constructed and operated two full power

5/ See Exhibit 4, attached, a copy of Bankruptcy Judge Helen S. Balick's February 8, 1991 Order.

television stations since early 1987. Its first facility was channel 42, Odessa, Texas (BAPCT-870203KF). Channel 42 was acquired as an unbuilt construction permit from Alfred H. Roever, III, who was unable to construct. If NMTV had not acquired the authorization no new television service would have been inaugurated for the Midland-Odessa area, and the Commission has long-recognized the importance of initiating new service to the public. Christian Broadcasting of the Midlands, Inc., 99 F.C.C.2d 578 (Rev. Bd. 1984); Communications Properties, Inc., 92 F.C.C.2d 45 (Rev. Bd. 1982); Town and Country Radio, Inc., 70 F.C.C.2d 572 (Rev. Bd. 1978).⁶ In its Odessa assignment application (hereinafter "Odessa Assignment") NMTV outlined its compliance with Commission rule 73.3555(d)(1) and (d)(2), explained that it was a nonprofit/ nonstock California corporation with three directors--Mrs. Jane Duff, an African-American, Rev. David Espinoza, an Hispanic, and Dr.

6/ NMTV has a history of activating new stations. As noted in paragraph 8, infra, NMTV also constructed and inaugurated service on channel 24, KTDZ-TV, Portland, Oregon. The assignor in that proceeding, Greater Portland Broadcasting Corporation, had been unable to construct due to long-standing problems in obtaining needed building authorizations. The Commission approved the channel 24, Portland assignment on October 27, 1988, NMTV closed its purchase on December 19, 1988, and began program test operations on November 16, 1989 (BALCT-891205KH).

Paul F. Crouch, a Caucasian (Odessa Assignment, Exhibit I).⁷ The Odessa Assignment also noted that Dr. Crouch was the President of the Trinity Broadcasting Network (and its associated Trinity organizations), and as such currently had a cognizable multiple-ownership interest in twelve other television stations (Odessa Assignment Exhibit I, and Supplemental Statement). Mrs. Duff's involvement in other broadcast corporations with Dr. Crouch was also disclosed. Because two of NMTV's three directors were recognized minorities, Dr. Crouch's participation was held to be in compliance with the multiple-ownership rules.⁸

7. In addition, the January 10, 1987 Purchase Agreement for channel 42, Odessa-Midland, fully disclosed the legal composition of NMTV, and stated the following in paragraph 7.a.:

Buyer's Organization and Standing. Buyer is a nonprofit corporation duly organized and validly existing and in good standing under the laws of

7/ Mrs. Duff's full name is Pearl Jane Duff. As noted in Exhibit 5, she is often referred to in legal documents as "P. Jane Duff." While NMTV can appreciate aggressive advocacy, Petitioner's reference to Mrs. Duff as "Patsy Jane Duff" is gratuitously belittling an African-American woman who has been involved in broadcasting for over 11 years. Petitioner's contemptuous references to Mrs. Duff are hardly becoming a Petitioner purporting to advance minority rights. Similarly tasteless are Petitioner's references to "a faithful (and apparently fungible) Hispanic minister" (Petition, p. 14).

8/ Since nonprofit/nonstock organizations, by definition, do not have any "owners" or any "equity holders," the Commission looks to its directors in evaluating the issue of ownership and control. Roanoke Christian Broadcasting, Inc., FCC 83R-8, released January 28, 1983, 52 Rad. Reg. 2d (P&F) 1725 (Rev. Bd. 1983), aff'd, FCC 83-441, released September 27, 1983.

the state of California, and possesses all corporate power necessary to construct, own and operate [channel 42] and carry out the provisions of this Agreement. Buyer's president, Paul F. Crouch, however, is an officer and director of the organizations specified in Exhibit C, which in the aggregate holds interests in the maximum number of television facilities permitted by non-minority controlled organizations under Commission rule 73.3555, 47 C.F.R. § 73.3555. Accordingly, Buyer will be required to establish compliance with rule 73.3555(d)(1)(A) and 73.3555(d)(2)(A) . . . before the assignment specified herein can be approved by the FCC. Buyer further represents and warrants that it will take any and all reasonable steps to establish compliance with Commission rule 73.3555 . . . as specified in this paragraph 7.a.; however, in the event the FCC does not approve the assignment for reasons associated with rule 73.3555, and its interpretation and/or application thereof, then this Agreement shall automatically become void, and Buyer and Seller shall be relieved of any and all obligations to the other whatsoever without liability.

Further, and most significantly, in response to a staff request NMTV filed copies of its Articles of Incorporation and Bylaws as a supplement to the Odessa assignment on April 14, 1987 (Exhibit 5 attached). These charter documents, which remain in effect today, unambiguously provide that each of the three directors of NMTV have one equal vote in all matters. Section 9, Quorum, of Article III of NMTV's bylaws states:

A majority of the authorized number of directors shall constitute a quorum for the transaction of business, except to adjourn as provided in Section 11 of this Article III [which permits a majority of directors present at a meeting, whether or not they constitute a quorum to adjourn any meeting]. Every act or decision done or made by a majority of the directors present at a meeting duly held at

which a quorum is present shall be regarded as the act of the Board of Directors, subject to the provisions of the California Nonprofit Corporations Law, especially those provisions relating to (a) a direct or indirect material financial interest, (b) appointment of committees, and (c) indemnification of directors. A meeting at which a quorum is initially present may continue to transact business, not withstanding the withdrawal of directors, if any action taken is approved by at least a majority of the remaining quorum for that meeting.

Moreover, Article II, Section 3, Termination of Membership, of NMTV's bylaws provides:

The membership of any member shall terminate upon occurrence of any of the following events:

- (a) the resignation of the members;
- (b) the death of the member;
- (c) the determination by a majority of the Board of Directors that such termination would be in the best interest of the corporation. Such a determination by a majority of the directors may be without cause.

8. In December 1987 NMTV filed its second assignment application, this time for channel 24, Portland, Oregon. In that application it made virtually the identical disclosures regarding Dr. Crouch, Mrs. Duff, and the Trinity Broadcasting Network. The December 17, 1987 Asset Purchase Agreement provided at paragraph 7.b. a full disclosure on Dr. Crouch's position as an officer and director of the Trinity Broadcasting Network, and its associated operating companies. Mrs. Duff's broadcast related interests

were again disclosed. A detailed showing was provided in Exhibit I of the Portland Assignment again describing the history of NMTV, and noting that two of its three directors were qualified minorities. At that time, since NMTV's corporate documents were already part of the public record, it was not necessary to resubmit those documents. The Commission routinely granted the Portland Assignment (BAPCT-871218KH) and the sale was consummated on December 19, 1988.

C. NMTV Provided Full Disclosure in the WTGI-TV Assignment

9. In the WTGI-TV assignment application, NMTV again provided a detailed listing of the broadcast holdings of its principals, including Dr. Paul F. Crouch and Mrs. Jane Duff (See Exhibit I to the WTGI-TV assignment). In addition, NMTV included a limited waiver request of rule 73.3555(d)(1) so the acceptance of the WTGI-TV assignment could proceed without delay even though the approved sale of KMLM(TV), Odessa, Texas (BALCT-901217KI), which had been granted on February 27, 1991, was not scheduled to go to closing until the first week in April 1991. However, before it became necessary for the Commission to consider that request the KMLM(TV) assignment was consummated, and notice was given to the Commission in this proceeding on April 9, 1991 (See Exhibit 6 attached).